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SEP 27 2004

TO: Group Art Unit 2154

FAX NO.: (703) 872-9306

FROM: Bryon Wasserman, Registration No. 48,404

RE: U.S. Patent Application No. 09/657,370
Inventor: Lester D. Nelson
Entitled, "Method for Generating Conversation
Utterances to a Remote Listener in Response
to a Quiet Selection"

Our File: FXPL-01016USO

DATE: September 27, 2004 Total Pages : 11, including cover sheet

Original will follow by mail: No

If you do not receive all of the pages, please call Bryon Wasserman at (415) 362-3800.

MESSAGE (If any):

Attached please find the following:

- 1) Response to Official Action dated June 25, 2004;
- 2) Transmittal Form;
- 3) Deposit Account Authorization; and
- 4) Certificate of Facsimile.

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PTO/SB/21 (09-04)

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/657,370	
	Filing Date	September 8, 2000	
	First Named Inventor	Lester D. Nelson	
	Art Unit	2164	
	Examiner Name	Jinsong Hu	
Total Number of Pages in This Submission	11	Attorney Docket Number	FXPL-01016USO

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Certificate of Facsimile Transmission Deposit Account Authorization
Remarks		
The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 08-1325 for any matter in connection with this response.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Fliesler & Meyer LLP		
Signature			
Printed name	Bryon Wasserman		
Date	September 27, 2004	Reg. No.	48,404

CERTIFICATE OF TRANSMISSION/MAILING

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Signature			
Typed or printed name	Bryon Wasserman	Date	September 27, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENTRESPONSE UNDER 37 C.F.R. §1.116
EXPEDITED PROCEDURE - EXAMINING GROUP 2100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Art Unit: 2154

Inventor: Lester D. Nelson

Examiner: Jinsong Hu

Application No.: 09/657,370

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Confirmation No.: 3329

Filed: September 8, 2000

Title: **METHOD FOR GENERATING
CONVERSATION UTTERANCES TO A
REMOTE LISTENER IN RESPONSE TO A
QUIET SELECTION**

Customer No.: 23910

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. § 1.8

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September 27 Bryon L. Wasserman
 Signature Date 2004 Attorney Signature Bryon L. Wasserman
Bryon Wasserman
 Reg. No. 48,404

RESPONSE TO OFFICE ACTION UNDER 37 C.F.R. § 1.116

Mail Stop AF
 Commissioner for Patents
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 Alexandria, VA 22313-1450

Sir:

This Response is in reply to the Office Action mailed June 25, 2004. Please amend the application as follows.